IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 416 OF 2007

M/s.Cipla Ltd ...Petitioner

vs.

Additional Commissioner of

Labour Mumbai & Ors. ...Respondents

Mr.Sanjay Udeshi i/by.M/s.Sanjay Udeshi & Co.

for the petitioners.

CORAM: J.N.PATEL, J. And

S.C.DHARMADHIKARI, J.

DATE: 27TH FEBRUARY, 2007.

P.C. :

1. Heard.

2. The matter has been circulated impugning the order of Reference passed by Respondent No.1. The

impugned order is dated 2.1.2007 by which the Additional Commissioner of Labour, has made a Reference of the dispute under Section 10(1) read with Section 12(5) of the Industrial Disputes Act, 1947 to the Labour Court, Mahad in respect of the dispute raised by former employee of the Petitioner i.e. Anant Ganpat Patil seeking reinstatement with full backwages and continuity of service with effect from 24.6.2005. The main grievance of the Petitioner appears to be that in the Schedule given below the impugned order, the Respondent No.1 has rather couched the order in such a way that in all likelihood, it may influence the decision of the Labour Court, Mahad while adjudicating the Reference. The subject matter of Reference as given in the Schedule is as under :-

S C H E D U L E

". Shri Anant Ganpat Patil should be reinstated with full wage and Continuity of service with effect from **24/6/2005. "**

3. We do not think that this in any manner prejudices the case of the Petitioner, nor such a Reference would influence the adjudication before the Labour Court, Mahad. Therefore, we do not find any merits in the petition. The same is dismissed.

sd/- sd/-

(S.C.DHARMADHIKARI, J) (J.N.PATEL, J)